CERTIFICATE OF PACSIMILE TRANSMISSION ereby certify that this document (including any paper retained to as being attached or enclosed) is being sent to the U.S. Patent and PECEIVED indemark Office via facolimise grasmitasion to (703) 872-9307 on the date indicated below, with a coversheel addressed to CENTRAL FAX CENTR CENTRAL FAX CENTER 15,2004 SEP 1 5 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

J. Peter KLEIN et al.

Atty. Ref.: 4377-38; Confirmation No. 9861

Appl. No. 09/544,984

TC/A.U. 1617

Filed: April 7, 2000

Examiner: WANG, Shengjun

flerere seed For: THERAPEUTIC COMPOUNDS FOR INHIBITING INTERLEUKIN-12 SIGNALS AND

METHOD FOR USING SAME

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated March 15, 2004, of the Examiner finally rejecting claims 10, 11, 18 and 47-49.

Please charge the small entity Notice of Appeal Fee of \$165.00 to Deposit [X] Account No. 14-1140.

Atty. Docket No. 4377-38

J. Peter KLEIN et al. Appl. No. 09/544,984 September 15, 2004

Please grant any extension(s) of time deemed necessary for entry of this communication. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper filed hereafter) to Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

Date: September 15,2004

Willem F. Gadiano Reg. No. 37,136

WFG:ewm

1100 North Glebe Road, 8th Floor

Arlington, VA 22201-4714 Telephone: (703) 816-4000 Facsimile: (703) 816-4100

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (including any paper reterred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via Isosimile transmission to (703) 872-9307 on the date indicated below, with a coversheet addressed to Commissioner for Patents, U.S. Patent and Trademark Office.

Date: Sepjenter 15,2004